

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

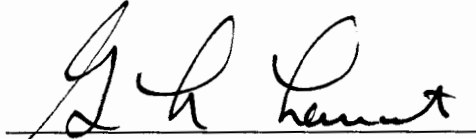
ALTON D. BROWN,	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 04-1906
	)	
JEFFREY A. BEARD, et al.,	)	
Defendants.	)	

ORDER

AND NOW, this **13<sup>th</sup>** day of December, 2005, after the plaintiff, Alton D. Brown, filed an action in the above-captioned case, and after a motion to dismiss or in the alternative for summary judgment was submitted by defendants Jeffrey A. Beard, Neal K. Mechling, Robert H. Keefer, Linda D. Harris, Joan Delie, Frank Cole, Don Skunda, Mark Krysevig, Robert Tretinik, Harry E. Wilson, Carol E. Scire, Gary Abrams, William S. Stickman, Diana Manson, Greg Mohring, Sharon M. Burks, Ronald Blandford, Mike Zakin, Ray A. Barnes, Mike Pioparchy, Thomas G. Moran, Michael Scribner, Alan Fogel, Marcia S. Noles and Margaret M. Gordon, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by plaintiff, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 77), which is adopted as the opinion of this Court,

IT IS ORDERED that the motion to dismiss or, in the alternative, for summary judgment (Docket No. 59) submitted on behalf of defendants Jeffrey A. Beard, Neal K. Mechling, Robert H. Keefer, Linda D. Harris, Joan Delie, Frank Cole, Don Skunda, Mark

Krysevig, Robert Tretinik, Harry E. Wilson, Carol E. Scire, Gary Abrams, William S. Stickman, Diana Manson, Greg Mohring, Sharon M. Burks, Ronald Blandford, Mike Zakin, Ray A. Barnes, Mike Pioparchy, Thomas G. Moran, Michael Scribner, Alan Fogel, Marcia S. Noles and Margaret M. Gordon is treated as a motion for summary judgment and is granted.

A handwritten signature in black ink, appearing to read "G L Lancaster", written over a horizontal line.

Gary L. Lancaster  
United States District Judge